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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/634,536	08/04/2003	Biju Nair	069509/0305338 (PCTEL-128)	6063
	7590	10/03/2005	EXAMINER AFSHAR, KAMRAN	
Attn: James E. Eakin Pillsbury Winthrop LLP Intellectual Property Group 2475 Hanover Street Palo Alto, CA 94304			ART UNIT 2681	PAPER NUMBER

DATE MAILED: 10/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/634,536

Applicant(s)

NAIR ET AL.

Examiner

Kamran Afshar, 571-272-7796

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2681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-17 is/are allowed.
- 6) ☒ Claim(s) 18-24 is/are rejected.
- 7) ☒ Claim(s) 25-27 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____

By

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 18-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sundar (U.S. Pub. No.: 2003/0134636 A1) in view of Seppanen (U.S. Patent 5,903,832) further in view of Karaoguz (U.S. Pub. NO.: 2002/0059434 A1).

With respect to claim 18, Sundar discloses a method for seamless switching of a wireless device between one or more wireless wide area networks (WWANs) (See e.g. GSM, CDMA, UMTS, PDC, etc., Page 4, Lines 6-7 of ¶ [0058]) and one or more wireless local area networks (WLANs) (See e.g. Page 5, Lines 1-5 of ¶ [0074]). Further, detecting available networks from the one or more WWANs and the one or more WLANs (See e.g. detecting presence of WLAN, Page 4, ¶ [0059] & Lines 5-9 of ¶ [0067]); selecting one of the available networks for use by the wireless device (See e.g. Page 3, ¶ [0025]). In an analogous field of endeavor, Seppanen discloses a mobile terminal (or wireless device) having enhanced system selection capability (See e.g. Title, Abstract). Further, Seppanen discloses searching a rules engine for an applicable rule (See e.g. automatic, temporary network selection capability, and prioritized network list, user-specified service, user-specified network, etc. Co. 3, Lines 40-50) defining which of the available networks to select (See e.g. Co. 3, Line 55 Co. 4, Line 4). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to provide above teaching of Seppanen to Sundar to facilitate searching a rules engine for an applicable rule and / or enabling a user enabling a user of a mobile terminal or station to manage, prioritize, and select between available networks and / or systems (See e.g. Co. 3, Lines 41-43). The motivation comes from Karaoguz so that the wireless device

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establishing connection with the selected available network and maintaining the wireless device connection (See Karaoguz e.g. Page 6, Lines 19-24 of ¶ [0086]) and or in the event of detection, the wireless device selectively establishing communication between the device and one of the available networks (See Karaoguz e.g. Page 2, Lines 6-8 of ¶ [0016]).

Regarding claim 19, Sundar discloses the one or more WWANs include at least one of: an analog cellular network; a digital cellular network; a TDMA network; a CDMA network; a 1xRTT network; a GPRS network; a GSM network; an EDGE network; a UMTS network; and an iDEN Packet Data network (See e.g. Page 4, Lines 6-7 of ¶ [0058]).

Regarding claim 20, Karaoguz discloses the one or more WLANs include at least one of: an IEEE 802.11 network; a HomeRF network; a Bluetooth network; and a HiperLAN network (See e.g. Page 1, Lines 11-14 of ¶ [0003]).

Regarding claim 21, Karaoguz discloses detecting, selecting, connecting and maintaining are performed automatically (See e.g. Page 2, Lines 4-7 of ¶ [0015], Page 3, Lines 1-2 of ¶ [0048]).

Regarding claim 22, Karaoguz discloses the rules engine includes one or more service provider rules (See e.g. quality of service, faster rate, less congestion, voice, data, Internet access, etc., Page 3, ¶ [0046]).

Regarding claim 23, Karaoguz discloses the one or more service provider rules include a WLAN preference rule (See e.g. switching and / or selecting HomeRf, Bluetooth, 802.11b, etc., Page 1, ¶ [0012]).

Regarding claim 24, Karaoguz discloses maintaining includes: monitoring the selected (checking for maintain connection of step 242 of Fig. 14) available network connection to determine a connection loss; upon determining the connection loss (See e.g. 242 of Fig. 14, repeating the steps of selecting and connecting (See e.g. 242 to 246 to 230 to 240 of Fig. 14)).

Allowable Subject Matter

3. Claims 1-17 are allowed.

The following is an examiner's statement of reasons for allowance: 1-17.

With respect to claim 1, the prior art of record fails singly or in combination to disclose or render obvious that a connectivity application running on top of the operating system and including: a user interface component coupled to the user interface; a core component coupled to the user interface component; and one or more network interface components coupled to the core component; and a driver layer functioning on top of the operating system and coupled to the one or more network interface components and to the one or more network interfaces.

4. Claims 25-27 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a) La Medica, Jr. (U.S. Patent 6,625,451 B1), which discloses Preferred roaming list and system select feature.

b) Hsu (U.S. Pub. No.: 2004/0205158 A1), which discloses Wireless access network system detection and selection.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Kamran Afshar whose telephone number is (571) 272-7796. The examiner can be reached on Monday-Friday.


If attempts to reach the examiner by the telephone are unsuccessful, the examiner's supervisor, **Feild, Joseph** can be reached @ (571) 272-4090. The fax number for the organization where this application or proceeding is assigned is **571-273-8300** for all communications.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kamran Afshar



JOSEPH FEILD
SUPERVISORY PATENT EXAMINER